



**THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK**

Date: August 5, 2015

Sponsored by Council Members: Motsavage, Mihalko, Matzo, Berg, Papastrat

Introduced by Committee: Public Works/Parks & Recreation

RESOLUTION

entitled

**A RESOLUTION DECLARING CITY COUNCIL
AS LEAD AGENCY UNDER SEQR FOR THE
FLOOD WALL PROJECT AT THE
BINGHAMTON JOHNSON CITY JOINT
SEWAGE TREATMENT PLANT AND A
NEGATIVE DECLARATION**

WHEREAS, the City of Binghamton proposes to undertake the following action as part of the City of Binghamton Wastewater Restoration and Rehabilitation Project located at the existing Binghamton-Johnson Joint Sewage Treatment Plant (BJCJSTP) in the Town of Vestal:

- Purchase of temporary and permanent easements for relocation of sewer lines and installation of a flood wall
- Installation of a flood wall and ancillary equipment
- Site restoration

(hereinafter referred to as "said Actions"), and

WHEREAS said Actions require review under the New York State Environmental Quality Review Act (SEQRA), per 6NYCRR Part 617, and

WHEREAS said Actions are classified as Unlisted Actions as they do not exceed the Type I thresholds included in 6NYCRR Part 617, Section 617.4(b), but because EFC funding is being used this project will be reviewed as a Type 1 Action, and

WHEREAS a Full Environmental Assessment Form was prepared for this project to satisfy the requirement of the New York State Environmental Facilities Corporation (EFC) that EFC funded projects include a review of a Full Environmental Assessment Form, and

WHEREAS multiple agencies have approval or funding authority over said Actions, and

WHEREAS 6NYCRR Part 617.2(u) defines "Lead Agency" as, "an involved agency principally responsible for undertaking funding or approving an action, and therefore responsible for determining whether an environmental impact statement is required in connection with the action, and for the preparation and filing of the statement if one is required", and

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WHEREAS the City of Binghamton intends to act as Lead Agency in the coordinated review of said Actions under SEQRA and further intends to implement and complete all responsibilities of that office, and

WHEREAS, other involved agencies were notified of the Board's intent to act as Lead Agency on November 3, 2014, and were provided with a copy of part one of the Environmental Assessment Form (EAF) and supporting documentation, and

WHEREAS the City of Binghamton received no written objections from the Involved Agencies, and

WHEREAS the State Historic Preservation Office (SHPO) has stated, in a letter dated July 8, 2015, that no historic properties would be affected by said Actions, and

WHEREAS the City of Binghamton and their consultants have prepared and filed a Full EAF which identifies the potential environmental impacts which may result from said Actions, and

WHEREAS, the potential impacts as enumerated below were reviewed and given a hard look by the City Council, with consultation from Council consultants, and determined to have "no or small impacts" (see Attached Parts 2 of the EAF):

- Impact on Geological Features;
- Impact on Groundwater;
- Impact on Plants and Animals;
- Impact on Agricultural Resources;
- Impact on Aesthetic Resources;
- Impact on Historic and Archeological Resources;
- Impact on Open Space/Recreation;
- Impact on Critical Environmental Areas;
- Impact on Transportation;
- Impact on Energy;
- Impact on Noise, Odor and Light;
- Impact on Human Health;
- Consistency with Community Plans;
- Consistency with Community Character; and

WHEREAS, the potential impacts as enumerated below were reviewed and given a hard look by the City Council, with consultation from Council consultants, and determined to have a "moderate or large impact" and were further evaluated as outlined in Part 3 of the EAF:

- Impact on Land;
- Impact on Surface Water;
- Impact on Flooding;
- Impacts on Air; and

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WHEREAS, the completed Part 3 of the EAF indicated how moderate to large impacts have been minimized and/or mitigated to the extent practicable, and

WHEREAS, said Actions will repair and restore known defects and limitations at the existing BJCJSTP, and

WHEREAS, said Actions will result in improved water quality within the adjacent Susquehanna River and regional surface water resources.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby:

RESOLVE, that the City of Binghamton declares itself Lead Agency, as defined in 6NYCRR Part 617.2(u), for the coordinated review of said Actions under SEQRA, and be it further

RESOLVED, that the City of Binghamton declares that, based on the Environmental Record which has been prepared, the project will result in no significant adverse environmental impacts. A Negative Declaration under SEQRA is therefore issued for this project.

Introductory No. R15-84

Permanent No. R15-81

Sponsored by City Council Members:

Motsavage, Mihalko, Matzo, Berg, Papastrat

A RESOLUTION DECLARING CITY COUNCIL AS
LEAD AGENCY UNDER SEQF FOR THE FLOOD
WALL PROJECT AT THE BINGHAMTON JOHNSON
CITY JOINT SEWAGE TREATMENT PLANT AND A
NEGATIVE DECLARATION

The within Resolution was adopted by the Council of
the City of Binghamton.

8/5/15
Date

[Signature]
City Clerk

8/6/15
Date Presented to Mayor

8/6/15
Date Approved

[Signature]
Mayor

	Ayes	Nays	Abstain	Absent
Motsavage	✓			
Mihalko	✓			
Rennia				✓
Webb		✓		
Papastrat	✓			
Matzo	✓			
Berg	✓			
Total	5	1	0	1

☐ Code of the City of Binghamton

☒ Adopted ☐ Defeated

5 Ayes 1 Nays 0 Abstain 1 Absent

I hereby certify the above to be a true copy
of the legislation adopted by the Council
of the City of Binghamton at a meeting
held on 8/2/15. Approved by the
Mayor on 8/2/15.

[Signature]